

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Wisconsin Power and Light)	
Company and Wisconsin Electric Power)	
Company for a Certificate of Authority to)	
Install a Selective Catalytic Reduction)	5-CE-137
System for Nitrogen Oxide Removal on)	
Unit 5 at the Edgewater Generating)	
Station, Sheboygan County, Wisconsin)	

Prehearing Conference

Prehearing Conference Held

February 25, 2009

Pages

1 to 5, Incl.

A P P E A R A N C E S

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Prehearing conference was held February 25, 2009, at 9 am in the Public Service Commission Office Building, Madison.

Presiding: ADMINISTRATIVE LAW JUDGE NEWMARK

ALJ NEWMARK: Let's come to order at this prehearing in docket 05-CE-137. I have appearance slips.

Let me start, first of all, by granting the intervention requests for all intervenors that were timely, and I see no reason why not to.

Second issue, I was curious about the applicants. I don't know if Mr. Greiveldinger -- am I

1 getting that right?

2 MR. GREIVELDINGER: Greiveldinger.

3 ALJ NEWMARK: Greiveldinger, sorry -- and
4 Ms. Phillips, just curious how you both plan to be
5 appearing in this case. Is it going to be one set of
6 testimony or are you going to have two?

7 MS. PHILLIPS: Your Honor, this is Kate
8 Phillips. We anticipate that Wisconsin Electric will
9 have its own witness or set of witnesses in support of
10 the application.

11 MR. GREIVELDINGER: Your Honor, Michael
12 Greiveldinger. I agree. We will be presenting separate
13 witnesses.

14 ALJ NEWMARK: Okay. Great. All right. Now, I
15 believe staff has distributed an issues list. I am
16 going to start with Ms. Ramthun. Do you have any
17 comments on that?

18 MS. RAMTHUN: We sent -- Jim Lepinski sent out
19 an e-mail February 23, this Monday, with one issue.
20 This is our proposal. The issue is: Should the
21 Commission grant a Certificate of Authority for the
22 project pursuant to Wisconsin Statute 1.12, 196.025,
23 196.49, and Wisconsin Administrative Code PSC 112?

24 That's our suggestion at this time.

25 ALJ NEWMARK: Did you get any response from

1 that?

2 MS. RAMTHUN: No e-mail response.

3 ALJ NEWMARK: Okay. Let's go off the record and
4 we can discuss the issues list.

5 (Discussion off the record)

6 ALJ NEWMARK: We're back on the record.

7 We decided the issues will be as follows. We
8 will take the first issue from the -- first issue will
9 be the issue proposed by staff, and the second issue
10 will be issue No. 4 proposed by the applicants.

11 That will be laid out in the prehearing memo
12 that we will send out after this meeting.

13 Okay. Let's get back off the record.

14 (Discussion off the record)

15 ALJ NEWMARK: We've established numbering
16 assignments for prefiled testimony and exhibits. Each
17 set of prefiled testimony each party will get 100 pages
18 and each party will get a hundred exhibits.

19 Let's get off the record, and we have dates and
20 deadlines to talk about.

21 (Discussion off the record)

22 ALJ NEWMARK: Let's go back on the record.

23 We've spent some time discussing options for
24 setting deadlines and dates.

25 The staff proposal to postpone that decision

1 until EGEAS runs and responses to staff data requests
2 are filed and reviewed by staff and determined to be
3 adequate will be adopted here.

4 But I implore staff to work as quickly as
5 possible, and there is a desire to set a hearing
6 deadline, a hearing date somewhere in the beginning of
7 August.

8 Few more ancillary matters. This is an
9 electronic case so please file all -- place all filings
10 on the Electronic Regulatory Filing system. Service
11 between parties is electronic by e-mail or, if that's
12 physically impossible because of storage problems, on
13 CD-ROM.

14 In terms of discovery requests and responses,
15 those will not be posted on ERF. Data requests from
16 staff and responses are because that's the way they get
17 filed, but between parties that should not be filed on
18 ERF.

19 If a party believes something is relevant, of
20 value, that can be presented in testimony or entered as
21 an exhibit.

22 Do you have any other matters?

23 Hearing none, we're adjourned.

24 (Prehearing conference closed)

25 aff/February 25, 2009

ISSUES

1. Should the Commission grant a Certificate of Authority for the project, pursuant to Wisconsin Statute sec. 1.12, 196.025, 196.49, and Wisconsin Administrative Code ch. PSC 112?
2. Has the Commission's review of the project complied with Wisconsin Statute sec. 1.11 and Wisconsin Administrative Code ch. PSC 4?

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN
Docket No. 5-CE-137
Prehearing Conference

I, Adela F. Felic, hereby certify that, as an official reporter for the Public Service Commission of Wisconsin, I took down the proceedings had before the Commission in the foregoing matter on the 25th day of February, 2008, and that the attached is a true and correct transcription of the said notes and of the whole thereof.

Adela F. Felic

Reporter
PUBLIC SERVICE COMMISSION OF WISCONSIN